

Exhibit 51

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

MI YANO MACHINERY USA INC., Case No. 1:08-cv-00526

8 MI YANOHI TEC MACHINERY, INC.,
et al.,

Defendants.

TRANSCRIPT OF MOTION HEARING
BEFORE THE HONORABLE VIRGINIA M. KENDALL
UNITED STATES DISTRICT JUDGE

APPEARANCES:

For the Plaintiff: Cook Alex McFarron Manzo Cummings
Mehler, Ltd.
By: Edward D. Manzo,
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Proceedings recorded by mechanical stenography; transcript produced by notereading.

09: 45: 12 1 develop a new mark, which they did. And they developed a
09: 45: 18 2 stylized Mi yano, the word Mi yano, in script rather than block
09: 45: 24 3 letters.

09: 45: 26 4 THE COURT: Is that the one that's on page 2 of your
09: 45: 31 5 preliminary injunction motion? This one (indicating)?

09: 45: 36 6 MR. KARTON: Yes.

09: 45: 37 7 THE COURT: Okay.

09: 45: 37 8 MR. KARTON: And Mi yano, both Mi yano Japan, MMJ, and
09: 45: 44 9 MMU began to use that stylized name, the design. The triangle
09: 45: 56 10 that you saw pictures of, the triangle with the winged M --

09: 46: 00 11 THE COURT: Page 3 of the preliminary injunction,
09: 46: 02 12 this one?

09: 46: 02 13 MR. KARTON: Right.

09: 46: 04 14 They say it was adopted in '05 in the United States,
09: 46: 13 15 that was after Tom Mi yano left the company. It had been not
09: 46: 19 16 used prior to that time. As I said, Tom Mi yano owns that mark
09: 46: 25 17 in Japan. It was never used commercially prior to that time.

09: 46: 33 18 We feel that Mi yano, MMU, is attempting to usurp a
09: 46: 41 19 mark that is owned personally by Tom Mi yano, or, in the
09: 46: 49 20 alternative, is attempting to establish a right to use a mark
09: 46: 55 21 that it had years before abandoned.

09: 47: 02 22 There is the additional factor that, while
09: 47: 05 23 Mi yanoHi tec Machinery is certainly a corporation, on the
09: 47: 11 24 website now and in the advertising now, they are displaying
09: 47: 18 25 the trade name Tom and Steven Mi yano, not affiliated in any

09: 47: 24 1 way with Mi yano Machi nery, Inc. in the United States or Mi yano
09: 47: 29 2 Machi nery in Japan. They are using their personal surname to
09: 47: 34 3 do business.

09: 47: 35 4 THE COURT: But is it called Mi yanoHi tec Machi nery?

09: 47: 38 5 MR. KARTON: The company is called Mi yanoHi tec
09: 47: 42 6 Machi nery. But the advertising for it and the advertising at
09: 47: 46 7 the trade show on their booth will be Tom and Steven Mi yano --

09: 47: 51 8 THE COURT: Okay.

09: 47: 51 9 MR. KARTON: -- two different -- and there will be
09: 47: 53 10 the disclaimer to differentiate it from MMU. That's -- that's
09: 48: 03 11 basically the difference here.

09: 48: 05 12 THE COURT: Okay.

09: 48: 07 13 MR. KARTON: As far as the motions are concerned,
09: 48: 09 14 there are two, as Mr. Manzo mentioned, the one for leave to
09: 48: 15 15 amend. We, of course, have no objection to that. And had I
09: 48: 21 16 known beforehand, I would have told him that we have no
09: 48: 23 17 objection to that.

09: 48: 24 18 THE COURT: Okay.

09: 48: 25 19 MR. KARTON: We would, of course, like an opportunity
09: 48: 27 20 to respond to the amended motion. The -- because there is
09: 48: 37 21 information that is going to be coming from Japan, it's
09: 48: 41 22 necessary from Japan, and because we don't control the
09: 48: 45 23 corporation MMJ, and we somehow don't think that they are
09: 48: 51 24 going to be as cooperative as they might be, given that
09: 48: 55 25 they're the opponents in a lawsuit, and because of the